

Message Text

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TO SECSTATE WASHDC 7927

INFO SECDEF WASHDC

JCS WASHDC

CHMN USDEL JBUSMC RIO DE JANEIRO

AMCONSUL RIO DE JANEIRO

C O N F I D E N T I A L SECTION 1 OF 3 BRASILIA 8138

SECDEF FOR OSD/ISA

JCS FOR J-5

E. O. 11652: GDS

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SUBJECT: STATUS OF USDEL JBUSMC UNDER INTERNATIONAL SECURITY
ASSISTANCE AND ARMS EXPORT CONTROL ACT OF 1976

REF: STATE A-3590

1. WE NOTE FROM REF AIRGRAM AND FROM OTHER STATE AND DOD COMMUNICATIONS THAT EFFORTS HAVE ALREADY BEGUN TO IDENTIFY THOSE MAAGS, MILGRPS AND SIMILAR ORGANIZATIONS WHICH SHOULD BE RETAINED AS AN EXCEPTION AFTER SEPTEMBER 30, 1977. WE ALSO RECOGNIZE THAT CONVINCING AND TIMELY JUSTIFICATIONS MUST BE PRESENTED IF CONGRESS IS TO BE PERSUADED TO AUTHORIZE THE CONTINUATION OF SUCH ORGANIZATIONS. LET ME SAY AT THE OUTSET THAT I CONSIDER THE CONTINUATION OF USDEL JBUSMC CLEARLY JUSTIFIED IN TERMS OF THE BROAD RANGE OF OUR BILATERAL INTERESTS.

2. TO ASSIST THE DEPARTMENT IN DEVELOPING A TIMELY AND CONVINCING JUSTIFICATION, WE WANT TO REVIEW ONCE AGAIN HERE THE SPECIAL ORIGIN AND MISSION OF JBUSMC AND ITS PROSPECTIVE IMPORTANCE
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IN DEVELOPING THE BROAD AND INTENSE CONSULTATIVE RELATIONSHIP

WITH BRAZIL ENVISAGED BY THE SECRETARY IN THE 1976
MEMORANDUM OF UNDERSTANDING. IN SO SOING WE WILL HIGHLIGHT
SOME ASPECTS OF ITS FUNCTIONS--ACTUAL AND PROSPECTIVE--
WHICH DISTINGUISH IT SIGNIFICANTLY FROM MAAGS AND MILGRPS.

3. IT BEARS RESTATING THAT JBUSMC--LONG BEFORE THE
CREATION OF MAAGS AND MILGPS--CAME INTO EXISTENCE IN 1942
TO FACILITATE MILITARY COOPERATION, LIAISON AND CONSULTATION
BETWEEN WARTIME ALLIES. ITS INITIAL CHARTER, THE 1942
POLITICAL-MILITARY AGREEMENT, CHARGED THE "BRAZILIAN-AMERICAN
TECHNICAL MILITARY MIXED COMMISSION" (AS IT WAS ORIGINALLY
KNOWN) WITH THE "PREPARATION OF DETAILED PLANS AND WITH
CONCLUDING AGREEMENTS BETWEEN GENERAL STAFFS NECESSARY FOR
MUTUAL DEFENSE" AND WITH MAKING RECOMMENDATIONS TO BOTH
GOVERNMENTS CONCERNING THESE PLANS AND THEIR EXECUTION.
(IT SHOULD BE NOTED THAT THE PREDECESSOR ORGANIZATION OF
THE NAVY MISSION ARRIVED HERE IN 1922; AN ARMY MISSION WAS
ESTABLISHED IN 1934.)

4. THE 1955 AGREEMENT AUTHORIZED THE CONTINUED FUNCTIONING
OF JBUSMC AS THE "PRINCIPAL AGENCY IN BRAZIL FOR FACILITATING
BILATERAL MILITARY COOPERATION." THE "STATEMENT OF COOPERATION,
OBJECTIVES AND FUNCTION" OF JBUSMC WHICH WAS PROPOSED FOLLOWING
THE 1955 AGREEMENT AND APPROVED BY JCS IN 1959 FURTHER
EXTENDED AND DEFINED THE BASIC ELEMENTS OF JBUSMC'S MISSION.
THIS DOCUMENT UNDERSCORES JBUSMC'S CHARTER ROLE AS
ESSENTIALLY AN ORGAN FOR CONSULTATION AND COMMUNICATION. THOSE
BASIC ELEMENTS ARE:

A) PREPARE JOINT MILITARY PLANNING;
B) PREPARE AND MAKE RECOMMENDATIONS FOR REVIEW OF MILITARY
AGREEMENTS;
D) RECOMMEND ACTIONS FOR MUTUAL DEFENSE;
D) PREPARE STUDIES ON MATTERS OF COMMON DEFENSE SUCH AS
STANDARDIZATION OF TRAINING AND LIGISTICS, AND CONSIDER
CHANNELS FOR EXCHANGES OF TECHNICAL INFORMATION.

5. IN THE POST-WORLD WAR II EVOLUTION OF JBUSMC, THERE
DEVELOPED A RANGE OF ADVISORY FUNCTIONS WHICH WERE ANALOGOUS
TO THOSE PERFORMED BY STANDARD MAAG'S AND MILGPS, BUT WHICH
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WERE ALSO NATURAL OUTGROWTHS OR EXTENSIONS OF ITS BASIC
CHARTER OBJECTIVES DEFINED IN 1942 AND AMPLIFIED IN THE
1955 AGREEMENT. THESE FUNCTIONS INHERENT IN ITS ORIGINAL
CHARTER CAME TO BE IDENTIFIED WITH "ADVISORY FUNCTIONS" AS
THOSE FUNCTIONS WERE DEFINED IN SUBSEQUENT SECURITY ASSISTANCE
DOCTRINE. THUS, JBUSMC, AS PART OF ITS BROADER RESPONSIBILITIES,
WAS PERFORMING WHAT CAME TO BE CONSIDERED AS "NORMAL ADVISORY
FUNCTIONS" BEFORE THOSE FUNCTIONS CAME TO BE ASSOCIATED WITH

MAAGS AND MILGRPS. USDELJBUSMC WAS FORMALLY DESIGNATED TO PERFORM THE FUNCTIONS OF A MILITARY ASSISTANCE ADVISORY GROUP BY JCS IN 1952. IT SHOULD BE NOTED, HOWEVER, THAT THIS DESIGNATION OF MAAG FUNCTIONS WAS AT THAT TIME EXPLICITLY NOTED TO BE "ADDITIONAL" TO JBUSMC'S TRADITIONAL CHARTER FUNCTIONS SUCH AS BILATERAL CONSULTATIONS AND RECOMMENDATIONS AND JOINT STUDIES. SINCE 1942, MANY OF THE CONSULTATIVE, JOINT STUDIES, AND TECHNICAL EXCHANGES UNDERTAKEN THROUGH JBUSMC COULD BE CONSIDERED "ADVISORY" IN NATURE, BUT IT WAS ADVICE AT A MUCH HIGHER LEVEL THAN THE "ADVISORY" SERVICES ENVISAGED IN SECURITY ASSISTANCE LEGISLATION.

6. THESE DISTICTIONS, WE THINK, ARE IMPORTANT TO THE CASE THAT JBUSMC HAS A SINGULAR ROLE IN OUR BILATERAL RELATIONSHIP WITH BRAZIL WHICH ANTEDATES AND TRANSCENDS A ROLE OF MILITARY ASSISTANCE AND ADVICE. JBUSMC HAS FROM ITS INCEPTION BEEN AN ORGAN OF COMMUNICATION AND CONSULTATION BETWEEN CLOSE MILITARY COLLABORATORS. INHERENT IN THAT PROCESS OF COMMUNICATION AND CONSULTATION AND ESSENTIAL TO ITS SUCCESS ARE HIGH-LEVEL ADVISORY ACTIVITIES (OFTEN INVOLVING EXPLANATION OF US DOCTRINE) QUITE DISTINCT FROM THOSE LOWER-LEEL ADVISORY ACTIVITIES NORMALLY PERFORMED BY MAAGS OR MILGRPS. SUBSEQUENTLY AND ADDITIONALLY, USDEL JBUSMC ACQUIRED RESPONSIBILITY FOR THE NORMAL, LOWER-LEVEL ADVISORY AND SECURITY ASSISTANCE FUNCTIONS OF A MAAG, WITHOUT DIMINUTION OF ITS IMPORTANT PRE-EXISTING RLE AS A MAJOR CHANNEL OF BILATERAL MILITARY COOPERATION AND CONSULTATION.

7. WHILE THE MAAG/SECURITY ASSISTANCE FACTOR WAS FOR SOME TIME A MAJOR RESPONSIBILITY OF USDEL JBUSMC, ITS IMPORTANCE IN

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THE TOTAL RANGE OF USDEL RESPONSIBILITIES WILL CONTINUE TO DIMINISH. THE TREND IS BEING STRENGTHENED BY THE PHASE-DOWN AND OUT (BY END OF FY 1977) OF GRANT TRAINING FUNDS, BRAZILIAN INABILITY TO TAKE UP FMSCR OFFERS, INCREASED BRAZILIAN RELIANCE ON ITS WASHINGTON MISSION FOR PURCHASES, AND THE DECLINE OF REQUIREMENTS TO MONITOR END USE OF MAP MATERIAL. THE MILGRP WE NOW HAVE AS AN ORGANIZATIONAL ENTITY WITHIN USDEL WILL BE DONE AWAY WITH BY OCTOBER 1, 1977, LEAVING ONLY VERY MINOR RESIDUAL SECURITY ASSISTANCE/ADVISORY FUNCTIONS WITHIN USDEL. (EVEN SO, WE RECOGNIZE THAT THE MERE EXISTENCE OF MODEST SECURITY ASSISTANCE/ADVISORY RESIDUAL FUNCTIONS WITHIN USDEL MIGHT OBSCURE USDEL'S SPECIAL ROLE AND COULD IMPAIR OUR CASE FOR AN EXCEPTION FROM CONGRESS, SO IT MIGHT BE TACTICALLY DESIRABLE TO PLACE THAT FUNCTION UNDER A SEPARATE ORGANIZATIONAL ROOF, SUCH AS WITH A THREE-MAN GROUP OPERATING WITHIN THE EMBASSY.)

8. LOOKING BEYOND SEPTEMBER 30, 1977, WE WOULD EXPECT USDEL JBUSMC--SHORN OF MOST IF NOT ALL OF ITS ADVISORY/SECURITY ASSISTANCE FUNCTIONS--TO RE-EMPHASIZE AND EXPAND THOSE
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FUNCTIONS ORDAINED IN ITS ORIGINAL CHARTER, SO AS TO GIVE NEW IMPETUS TO OUR BILATERAL DEFENSE COOPERATION AND CONTRIBUTE IN A MAJOR WAY TO THE OVERALL CLOSE CONSULTATIVE RELATIONSHIP WE SEEK WITH BRAZIL. WELL BEFORE THE SEPTEMBER 30, 1977, CUTOFF DATE, WE HOPE AND EXPECT TO BE MOVING IN THAT DIRECTION, UPDATING BILATERAL PROGRAMS BASED ON JBUSMC'S LONGSTANDING CHARTER OR DEVELOPING NEW ONES CONSISTENT WITH IT. ALREADY UNDER CONSIDERATION ARE SUCH INITIATIVES AS:

A) PERIODIC HIGH-LEVEL MEETINGS WITHIN THE FRAMEWORK OF JBUSMC FOR DISCUSSION OF SUBSTANTIVE MILITARY TOPICS OR TO AIR BILATERAL MILITARY ISSUES;

B) DEVELOPMENT OF ONGOING PROGRAM OF COMBINED PLANNING EXERCISES BETWEEN BRAZILIAN AND US STAFFS UNDER JBUSMC AEGIS (ALREADY UNDERWAY);

C) RESUMPTION OF JOINT STUDIES PERTINENT TO COMMON DEFENSE, STANDARDIZED TRAINING AND INSTRUCTION, AND EXCHANGE OF TECHNICAL INFORMATION;

D) JBUSMC STUDY OF OPERATING PROCEDURES AND EQUIPMENT TO DETERMINE THOSE THAT COULD BE STANDARDIZED TO FACILITATE COMPATIBILITY;

E) AN EXPANDED HIGH-LEVEL PROFESSIONAL DIALOGUE AND CONSULTATION COVERING SUBJECTS INDICATED TO BE OF SPECIAL INTEREST BY BRAZILIAN HOST SERVICES. (ALREADY UNDERWAY ACROSS A BROAD SPECTRUM OF AREAS IN ALL SERVICES AND JCS. MOST ADVANCED TOPICS INCLUDE MOBILIZATION SYSTEMS, MANAGEMENT, R&D, AND PERSONNEL SYSTEMS.)

F) JOINT REVIEW AND EVALUATIONS OF IADB AND OTHER MULTILATERAL DEFENSE ACTIVITIES INVOLVING US AND BRAZIL IN EFFORT TO BETTER MESH THEM WITH THEIR BILATERAL DEFENSE COOPERATION;

G) BRAZIL-US R&D AGREEMENT, AN INITIATIVE WHICH HAS BEEN PENDING IN USG FOR OVER TWO YEARS.

9. WE BELIEVE THAT THERE ARE COMPELLING POLITICAL AND CONFIDENTIAL

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HISTORICAL CONSIDERATIONS THAT REINFORCE OUR CASE FOR A HIGH PRIORITY IN GAINING A CONGRESSIONAL AUTHORIZATION FOR USDEL TO CONTINUE:

A) AT TIMES OVERLOOKED IS THE INESCAPABLE FACT THAT WITHDRAWAL OF USDEL WILL BE TANTAMOUNT TO A UNILATERAL ACT BY US TO DISSOLVE JBUSMC, A BILATERAL INTERGOVERNMENTAL ORGANIZATION ESTABLISHED BY AGREEMENT. SO FAR WE CAN FORESEE NO WAY ACCEPTABLE TO BRAZILIANS TO MAINTAIN SOME FORM OF PERMANENT AGENCY FOR BILATERAL MILITARY COOPERATION IN BRAZIL WITHOUT A PERMANENT STAFF. (IF ABOLITION OF USDEL IS DETERMINED TO BE, IN EFFECT, TERMINATION OF THE 1955 AGREEMENT, DEPARTMENT SHOULD RECALL THAT ONE YEAR NOTICE OF INTENTION TO TERMINATE IS REQUIRED BY AGREEMENT.)

B) JBUSMC'S EXISTENCE CONSTITUTES 34 YEARS OF UNBROKEN MILITARY COOPERATION WITH BRAZIL, US'S ONLY LATIN AMERICAN ALLY IN WORLD WAR II COMBAT AND A MAJOR CONTRIBUTOR TO THE DOMINICAN REPUBLIC PEACE FORCE. AS SUCH IT HAS COME TO SYMBOLIZE THE ELEMENTS OF CONSTANCY AND COMMITMENT THAT ARE THE LEGACY OF OUR WARTIME RELATIONSHIP. TO TERMINATE IT NOW, OR REDUCE IT TO INSIGNIFICANCE, WOULD CUT AN IMPORTANT REMAINING LINK WITH THE US AT A TIME WHEN US AND BRAZILIAN INTERESTS IN OTHER SPHERES ARE INCLINED TO DIVERGE AND WHEN INCREASING EMPHASIS IS BEING GIVEN TO OTHER "OPTIONS," INCLUDING THIRD-WORLD LINKS

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AND WOULD CONVEY TO BRAZILIANS AN UNINTENDED IMPRESSION OF
US INDIFFERENCE TO THE FUTURE OF OUR RELATIONSHIP.

C) UNLIKE THE CLIENT-PATRON RELATIONSHIP INHERENT IN RUN-OF-THE-
MILL MAAGS AND MILGPS, JBUSMC, IN ITS ORIGIN AND
ENTIRE APPROACH, HAS EXPRESSED A MATURE PARTNERSHIP IN THE
MILITARY FIELD THAT IS APPRECIATED BY GENERALLY PROUD
AND SENSITIVE BRAZILIANS. ABRUPT WITHDRAWAL OF USDEL
COULD REVERSE THIS POSITIVE IMPRESSION AND BE SEEN AS
CONFIRMING THE WIDELY HELD NOTION THAT US DOES NOT SEE ITS
RELATIONSHIP WITH BRAZIL AS ONE BETWEEN EQUALS.

D) A COMPELLING ARGUMENT, NOT DEBASED BY THE FREQUENCY OF
ITS USE, IS THE SIMPLE FACT THAT US WOULD LOSE MAJOR CHANNEL
OF INFLUENCE TO POLITICALLY POTENT BRAZILIAN MILITARY JUST
AS IT IS MODERNIZING AND DEVELOPING INTO A MAJOR FORCE.
ACCESS TO THE MILITARY, AND THEIR FAVORABLE DISPOSITION TOWARD
THE US, WILL REMAIN VERY IMPORTANT FACTORS IN OUR
PROSPECTS FOR ACCESS TO BRAZIL'S BASES, FACILITIES AND
STRATEGIC GEOGRAPHY IN CASE OF SERIOUS CONVENTIONAL EMERGENCY.

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E) FINALLY, BRAZIL IS IMPORTANT TO US--INDEED, MORE IMPORTANT TO US NOW THAN IN 1942 WHEN JBUSMC ORIGINATED--IN TERMS OF OUR PARTICULAR POLITICAL AND ECONOMIC INTERESTS AND THE BROADER INTEREST OF A STABLE WORLD ORDER. BRAZIL IS EMERGING AS A MIDDLE POWER, WITH DEMONSTRATED POTENTIAL TO BECOME A GREAT POWER. WE HAVE ACCEPTED THAT EMERGENCY AND SEEK TO ASSOCIATE OURSELVES WITH BRAZIL'S ASPIRATIONS. CONSISTENT WITH OUR DESIRE FOR A BROADER AND DEEPER RELATIONSHIP WITH AN EMERGENT BRAZIL, WE SEEK TO INCREASE OUR CHANNELS AND OPPORTUNITIES FOR CONTACT AND CONSULTATION ACROSS THE BOARD--AS THE SECRETARY'S FEBRUARY 1976, MEMORANDUM OF UNDERSTANDING ENVISAGED--NOT REDUCE THEM. USDELJBUSMC MAKES POSSIBLE THE MAINTENANCE OF AN OPEN CHANNEL TO BRAZIL'S RULING MILITARY ELEMENT WHICH SHOULD BE RETAINED.

10. CONGRESSIONAL AUTHORIZATION FOR CONTINUATION OF USDEL WOULD, COLLATERALLY, MAKE POSSIBLE THE CONTINUATION OF THE 54-YEAR OLD US-BRAZILIAN NAVAL MISSION AGREEMENT. AS THE DEPARTMENT WILL RECALL, THE NAVAL MISSION IS STAFFED BY MEMBERS OF USDEL'S NAVY SECTION, THOUGH SOME EXPENSES OF THE US COMPONENT INCLUDING TRANSPORTATION OF ACCREDITED MISSION PERSONNEL AND HOUSEHOLD EFFECTS ARE BORNE BY THE GOB UNDER THE TERMS OF THE 1942 MISSION AGREEMENT.

11. IN OUR DELIBERATIONS AND EFFORTS TO CHOOSE THE MOST COGENT RATIONALE FOR THE CONTINUATION OF USDEL JBUSMC, WE HAVE CAREFULLY CONSIDERED THE POSSIBILITY THAT A CASE COULD BE MADE THAT USDEL, BY VIRTUE OF ITS UNIQUE ORIGIN AND MISSION AND ITS CLEAR DISSIMILARITY, AS PART OF A BILATERAL BODY, FROM STANDARD MAAGS AND MILGRPS, IS NOT WITHIN THE PURVIEW OF THE LEGISLATION AND THUS REQUIRES NO SPECIFIC AUTHORIZATION TO CONTINUE AFTER OCTOBER 1, 1977. (THIS ARGUMENT WOULD BE FURTHER STRENGTHENED BY THE DIVORCE OF RESIDUAL MAAG/SECURITY ASSISTANCE FUNCTIONS FROM USDEL.) WE SUSPECT, HOWEVER, THAT THE CONGRESS MIGHT NOT FIND THESE ARGUMENTS CONVINCING AND THAT A STRONGER CASE CAN BE MADE FOR EXCEPTIONAL TREATMENT, BUT, IF THE DEPARTMENT CONSIDERS "DISSIMILARITY" A MORE VIABLE APPROACH IT CAN STILL DRAW ON SOME OF THE ARGUMENTS ADVANCED ABOVE TO BUILD ITS CASE.

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12. IN THE INTEREST OF GOOD RELATIONS (ESPECIALLY IN
VIEW OF THE RECENT SUDDEN SUSPENSION OF IMET AND THE POSSIBLE
IMMINENT NOTIFICATION OF WITHDRAWAL OF TWO GENERAL OFFICERS)
IT WOULD BE PRUDENT TO APPRISE THE BRAZILIANS OF THE
IMPLICATIONS OF THE ACT AND WHAT WE ARE DOING TO CONTINUE
OUR RELATIONSHIP. WE WOULD HOPE TO INFORM THEM ABOUT
MID-NOVEMBER IF A WASHINGTON DECISION HAS BEEN MADE BY
THEN ON JBUSMC'S FUTURE.

13. DURING THE WEEK OF 4-8 OCTOBER I EXPECT TO BE IN
WASHINGTON; CHAIRMAN USDEL JBUSMC (WHO CONCURS IN THIS
MESSAGE) WILL ALSO BE IN WASHINGTON. WE WANT TO DISCUSS
THIS ISSUE WITH RESPONSIBLE OFFICERS OF STATE, DEFENSE,
AND JCS.
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